

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**U.S. BANK TRUST NATIONAL
ASSOCIATION, AS TRUSTEE FOR
RASC 2006-EMX5,**

Plaintiff,

v.

**OHIO GRAVY BISCUIT, INC., AN
OHIO CORPORATION, AS TRUSTEE
FOR THE LOVE BIRD 218 LAND
TRUST,**

Defendant.

Civil Action No. 4:22-cv-798-ALM-CAN

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

On this the 1st day of December 2022, Plaintiff U.S. Bank Trust National Association, as Trustee for RASC 2006-EMX5 (“Plaintiff”) and Defendant Ohio Gravy Biscuit, Inc., an Ohio Corporation, as Trustee for the Love Bird 218 Land Trust (“Ohio Gravy Biscuit” or “Defendant”) (collectively, the “Parties”), by and through their undersigned counsel, hereby stipulate that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), all claims and causes of action asserted by Plaintiff against Defendant are dismissed without prejudice.

Respectfully submitted,

By: /s/ Shelley L. Hopkins
Shelley L. Hopkins
State Bar No. 24036497
HOPKINS LAW, PLLC
3 Lakeway Centre Ct., Suite 110
Austin, Texas 78734
(512) 600-4320
BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP - *Of Counsel*
ShelleyH@bdfgroup.com
shelley@hopkinslawtexas.com

Robert D. Forster, II
State Bar No. 24048470
BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP
4004 Belt Line Road, Ste. 100
Addison, Texas 75001
(972) 386-5040
RobertFO@bdfgroup.com

ATTORNEYS FOR PLAINTIFF

By: /s/ Kenneth S. Harter (w/ permission)
Kenneth S. Harter
State Bar No. 09155300
Law Office of Kenneth S. Harter
5080 Spectrum Dr, Suite 100-E
(972) 752-1928
ken@kenharter.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of December 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF filing system, and will send a true and correct copy to the following:

Kenneth S. Harter
Law Offices of Kenneth S. Harter
5080 Spectrum Dr. Suite 1000-E
Addison, Texas 75001
ken@kenharter.com

ATTORNEYS FOR DEFENDANTS

/s/ Shelley L. Hopkins
Shelley L. Hopkins